



07-12-04

AF/3738\$61

RESPONSE UNDER 37 C.F.R. 1.116 -  
EXPEDITED PROCEDURE - EXAMINING GROUP 3738

JUL 09 2004

Attorney's Docket No. 3477-116

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Pugh et al. Confirmation No.: 6664  
Appl. No.: 09/029,872 Group No.: 3738  
Filed: June 29, 1998 Examiner: P. Prebilic  
For: ARTIFICIAL STABILIZED COMPOSITION OF CALCIUM PHOSPHATE PHASES  
PARTICULARLY ADAPTED FOR SUPPORTING BONE CELL ACTIVITY

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of three months to respond to the Office Action dated January 12, 2003.
2. Applicant is  a small entity;  other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months <u>Requested</u>	Fee For Other Than Small Entity	Fee for <u>Small Entity</u>
one month	\$110.00	\$55.00
two months	\$420.00	\$210.00
three months	\$950.00	\$475.00
four months	\$1,480.00	\$740.00
five months*	\$2,010.00	\$1,005.00

\*Cannot be used to exceed six-month statutory limit for response to an Official Action.

A check in the amount of \$475.00 is enclosed.

RECEIVED  
JUL 15 2004  
TECHNOLOGY CENTER

Charge Deposit Account No. 16-0605 for the extension fee.

Charge Deposit Account No. 16-0605 for any fee deficiency.

07/14/2004 HAL111 0000043 09029872

01 FC:2253

475.00 OP

Respectfully submitted,

J. Scott Young

Registration No. 45,582

Customer No. 00826

ALSTON &amp; BIRD LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV440847617US

Date of Deposit July 9, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Tamara Stevens